

Carlos Hernández
Mayor

Luis Gonzalez
Council President

Katharine E. Cue-Fuente
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano

City Council Minutes / Summary Agenda September 27, 2016 7:00 P.M.

Call to Order - **Council President Gonzalez called the meeting to order at 7:13 p.m.**

Roll Call - **Clerk, Marbelys Fatjo, called the roll with the following Council Members present:**

- Council President Luis Gonzalez
- Councilman Jose Caragol
- Councilwoman Vivian Casáls-Muñoz
- Councilwoman Isis Garcia-Martinez
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano

Council Members Absent:

- Council Vice President Cue-Fuente

Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation - **Marbelys Fatjo, City Clerk, led the invocation.**

Pledge of Allegiance - **Council President Gonzalez led the Pledge of Allegiance.**

Meeting Guidelines

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English, and by Lisette Perez, Administrative Aide, Office of the City Clerk, in Spanish

Presentations – NONE

1. Announcement of Amendments/Corrections to the Agenda –

- **Items PP, QQ, RR and SS have been added to today's agenda.**
- **Item 6 has been withdrawn from today's agenda.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Councilwoman Garcia-Martinez requested separate discussion on items G and NN.

REPORT: Councilman Hernandez requested separate discussion on item DD.

REPORT: Motion to Approve the Consent Agenda, except items G, DD and NN made by Councilwoman Casáls-Muñoz, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on September 13, 2016. (OFFICE OF THE CITY CLERK)**
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- B. Request permission to issue a purchase order to Image Trend, Inc., sole source vendor, for a software licensing agreement, to provide billing, CAD, and telestaff data hosting, support and other applicable services, for the remaining of the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$84,150. This is the third year of a three year contract approved by the City Council on December 9, 2014. (FIRE DEPT)**
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- C. Request permission to issue a purchase order to Inphynet Contracting Services, LLC, for professional services from Frederick Michael Keroff, M.D., FACEP, as medical director of Hialeah Fire Department and advanced life support provider, to pay outstanding invoices for the remaining 2016 fiscal year and upcoming 2017 fiscal year invoices, in a total cumulative amount not exceed \$60,000 payable at a monthly rate of \$5,000.00. This is the third year of a**

three year contract approved by the City Council on November 13, 2014. (FIRE DEPT)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- D. Request permission to issue a purchase order to Sirsi Corporation, sole source vendor, for maintenance, support and upgrades of the web-based integrated library system, in a total cumulative amount not to exceed \$33,754.40. (LIBRARY)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- E. Request permission to retroactively approve an increase to purchase order #2016-62, since it is advantageous to the City due to necessary emergency repairs, issued to Biscayne Electric Motor and Pump, Inc., for emergency repairs and maintenance to the McDonald Park Wave Pool pump, by an additional amount of \$7,127.21, in a total cumulative amount not to exceed \$ 21,127.21. (DEPT OF PARKS & RECREATION)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- F. Request from Santa Barbara Catholic Church, 6801 West 30th Avenue, Hialeah, Florida, for a permit to host a carnival on church grounds from Friday, November 25, 2016 through Sunday, November 27, 2016 and Thursday, December 1, 2016 through Sunday, December 4, 2016, subject to recommendations from the Police Department and Fire Department. (OFFICE OF THE CITY CLERK)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- G. Request permission to reject Hialeah Bid # 2015/16-3230-00-020 – *JFK Library – Decorative Concrete Topping for Exterior Walkways*, since it is advantageous to the City in that only one bid was received and the sole bidder increased the bid amount, thus disqualifying the bidder. Further request permission to waive competitive bidding and obtain quotations for this project. (CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

REPORT: Vince Rodriguez, Director of the Construction and Maintenance Department, 900 East 56 Street, Hialeah, addressed the City Council on this item.

REPORT: Motion to Approve Item G made by Councilwoman Garcia-Martinez, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- H. Request permission to utilize Miami Dade County Bid No. 8889-1/24 – *Tire Retreading Services-Prequal*, awarded by Miami Dade County and under contract through October 31, 2019, and issue a purchase order to Fedan Corp. d/b/a Fedan Tire Co., to purchase recap tires for City vehicles during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$90,000. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- I. Request permission to utilize City of Miami Bid No. 291272(17) – *OEM Parts, Engine and Transmission Repairs to City of Miami Vehicles and Equipment*, awarded by the City of Miami and under contract through November 17, 2016, and issue a purchase order to K.V.P. Enterprises Inc. d/b/a Expert Diesel, to purchase engine parts for the City's heavy equipment during fiscal year 2016-2017, in a total cumulative amount not to exceed \$145,000. (FLEET

MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**

- J.** Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/SVCS for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Cummins Inc. d/b/a Cummins Power South, to purchase equipment parts and accessories for City trucks during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- K.** Request permission to utilize Miami Dade County Bid No. 1070-5/14-5 – *Automotive & Truck Parts and Repair Serv*, awarded by Miami Dade County and under contract through November 30, 2016, and issue a purchase order to Uni-Select USA, Inc. d/b/a Auto Plus, Inc., to purchase Ford and AC Delco parts during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$100,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- L.** Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/Svcs for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Rehtien International Trucks, Inc., to purchase truck parts and accessories for City trucks during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$100,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- M.** Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/Svcs for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Total Truck Parts, Inc., to purchase aftermarket original equipment manufacturer parts for the City's trucks and buses during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$115,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- N.** Request permission to utilize State of Florida Contract No. 25172500-2-WSCA-15-ACS – *Tires, Tubes and Services*, awarded by the State of Florida and effective through March 31, 2019, and issue a purchase order to Tiresoles of Broward, Inc. d/b/a Miami Tiresoles, an authorized dealer of the Goodyear Tire & Rubber Company, to purchase tires and road call service for City vehicles, in a total cumulative amount not to exceed \$200,000. (FLEET MAINTENANCE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- O.** Request permission to issue a purchase order to American Battery Company, sole source vendor, to purchase automotive batteries for City vehicles and trucks during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$72,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- P.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Urbietta Oil, Inc., to purchase gasoline and diesel fuel for City

vehicles during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$1,200,000. (FLEET MAINTENANCE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- Q.** Request permission to utilize Miami Dade County Bid No. 2121-2/13-2 – *Fire Rescue Replacement Equip-Prequal*, awarded by Miami Dade County and under contract through February 28, 2019, and issue a purchase order to REV RTC, Inc. d/b/a Hall-Mark RTC, to purchase emergency equipment parts and accessories for City vehicles during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- R.** Request permission to utilize Miami Dade County Bid No. 5745-2/14-2 – *Parts/Svcs for Buses & SUP Equip-Prequal*, awarded by Miami Dade County and under contract through March 31, 2020, and issue a purchase order to Florida Transportation System, Inc., to purchase automotive parts and accessories for the City's buses during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$115,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- S.** Request permission to utilize City of Miami Bid No. 291272(17) – *OEM Parts, Engine and Transmission Repairs to City of Miami Vehicles and Equipment*, awarded by the City of Miami and under contract through November 17, 2016, and issue a purchase order to Gus Machado Ford, Inc., to purchase automotive replacement Ford parts for City vehicles at cost plus eight percent (8%) during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- T.** Request permission to utilize State of Florida Contract No. 25172500-2-WSCA-15-ACS – *Tires, Tubes and Service*, awarded by the State of Florida and effective through March 31, 2019, and issue a purchase order to Wingfoot Commercial Tire Systems, LLC, an authorized dealer of the Goodyear Tire & Rubber Company, to purchase new vehicle tires for City vehicles during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$200,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- U.** Request permission to utilize Miami Dade County Bid No. 8193-0/12 – *Automotive Vehicles – Prequalification*, awarded by Miami Dade County and under contract through January 31, 2019, and issue a purchase order to Palmetto Ford Truck Sales, Inc., to purchase Ford and Sterling truck parts for City vehicles during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- V.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to TotalCaring Health, Education & Staffing, Inc., vendor providing the lowest quotation, for ACLS and PALS Medical Training for the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$25,000. (FIRE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**

- W. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Cardinal Health 110, LLC d/b/a Cardinal Distribution, to purchase pharmaceuticals, vaccines and medical supplies during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$55,000. (FIRE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- X. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Anro Enterprises, Inc., d/b/a Diago Dry Cleaners, for dry cleaning services for fiscal year 2016-2017, in a total cumulative amount not to exceed \$30,000. (FIRE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- Y. Request permission to utilize Lake County, Florida Contract No. 12-0806M – *Fire Equipment and Supplies*, expiring on June 30, 2017, and issue a purchase order to Municipal Equipment Company, LLC, to purchase tools during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- Z. Request permission to issue a purchase order to Municipal Equipment Company, LLC, sole source distributor in the State of Florida of all products manufactured by Fire Service Plus, Inc., to purchase fire suppression foam, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- AA. Request permission to utilize Lake County, Florida Contract No. 12-0806O expiring on June 30, 2017, and issue a purchase order to Ten-8 Fire Equipment, Inc., to purchase fire suppression tools and equipment during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. Further request permission to issue a purchase order to Ten-8 Fire Equipment, Inc., sole source vendor for Pierce parts in the States of Florida and Georgia, to pay open invoices for mechanical repairs for fire suppression equipment during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
- BB. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Municipal Emergency Services, Inc., vendor providing the lowest quotation, to purchase Fire Department uniforms during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- CC. Request permission to utilize Lake County, Florida Contract No. 12-0806M – *Fire Equipment and Supplies*, expiring on June 30, 2017, and issue a purchase order to Municipal Emergency Services, Inc., for the service of repairing fire equipment during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$8,000. (FIRE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
- DD. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Hall-Mark Fire Apparatus, LLC, vendor providing the lowest quotation, to purchase fire service tools during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. Further request permission to issue a purchase order to Hall-Mark Fire Apparatus, LLC, sole source vendor, for the service of repairs for

out of service apparatus during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

REPORT: Patrick Flynn, Assistant Chief of the Hialeah Fire Department, addressed the City Council on this item.

REPORT: Motion to Approve Item DD made by Councilman Hernandez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- EE. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Municipal Emergency Services, Inc., vendor providing the lowest quotation, to purchase fire suppression tools and appliances during fiscal year 2016-2017, in a total cumulative amount not to exceed \$15,000. (FIRE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- FF. Request permission to utilize Orange County, Florida Contract No. Y14-158-DG – *Medical Transportation Billing and Collection Services*, awarded by Orange County and in effect until July 30, 2017, and issue a purchase order to Advance Data Processing Inc. d/b/a IMDX Solutions Corp., for the service of medical billing during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$185,000. (FIRE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- GG. Request permission to waive competitive bidding, since it is advantageous to the City, and enter into an agreement with S2K Consulting, Inc., to review accounts, identify errors, issue disputes and negotiate credits on behalf of the City, with the City agreeing to pay fifty percent (50%) of all first year savings on any circuit where a billing error is detected and corrected, fifty percent (50%) of all first year savings on any disconnect issued on services determined to not be in use, and fifteen percent (15%) of any new contractual savings based on the length of any new agreement. On April 24, 2012 the City Council approved an agreement between the City and this vendor for a term of twelve months from the date of signature. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- HH. Request permission to utilize State of Florida Contract No. 43230000-15-02 – *Licensing Solutions Providers of Microsoft Software and Services*, effective through January 31, 2019, and renew the City-wide Microsoft Software Licenses with Microsoft Corporation, sole source vendor, through their affiliate large account reseller, SHI International Corp, for a period of three years, commencing on October 1, 2016 and ending on September 30, 2019. Further request permission to issue a purchase order to SHI International Corp., to pay the annual cost of the licenses, in an amount not to exceed \$273,053.57 annually, for a total cumulative amount of \$819,160.71 for the three year proposed contract period. (INFORMATION TECHNOLOGY DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- II. Proposed resolution authorizing the application for, and the acceptance of, a State Aid to Libraries Operating Grant from the Florida Department of State, Division of Library and

Information Services, for the fiscal year 2016-2017, in an amount based on the City library's operating expenses for fiscal year 2014-2015 and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a State Aid to Libraries Grant Agreement in substantial conformity with the agreement attached hereto as Exhibit "1".
(LIBRARY)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
RESOLUTION NO. 2016-107.

JJ. Request permission to issue a purchase order to West Publishing Corporation, sole source vendor, to purchase a one (1) year subscription to CLEAR Investigator Services and for books, including pocket parts, pamphlets, hard bound books supplements that are to be used in conjunction with forfeiture cases, in a total cumulative amount not to exceed \$20,724. (POLICE DEPT.) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**

KK. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to VCA Animal Hospitals, Inc., for health related vaccines, necessary licensing for each animal from Metro Dade County, dental care plan, kenneling, and to maintain the physical health of the Hialeah Police Department's K-9 dogs during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$24,000. (POLICE DEPT)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

LL. Request permission to issue a purchase order to Florida Bullet Incorporated, sole source distributor in the State of Florida for Speer brand law enforcement ammunition, to purchase ammunition for training, officer certifications, and for the S.W.A.T. Team, in a total cumulative amount not to exceed \$30,000. (POLICE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

MM. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou's Police Distributors, Inc., to purchase uniforms and related accessories during the 2016-2017 fiscal year, in a total cumulative amount not to exceed \$45,000. (POLICE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

NN. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Peterson's Harley-Davidson of Miami, L.L.C., sole source vendor, to lease five (5) Harley-Davidson Police motorcycles for the 2017 fiscal year, in a total cumulative amount not to exceed \$31,500. (POLICE DEPT.)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

REPORT: Motion to Approve Item NN made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

OO. Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has used this vendor with the City's panel repair/supplier, and increase purchase order # 2016-1143, issued to Curry Controls Company, for repairs of the Scada system, by an additional amount of \$90,000, for a total

cumulative amount not to exceed \$150,000. (DEPT. OF PUBLIC WORKS) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**

- PP.** Request permission to issue a purchase order to Replay Systems, Inc., sole source vendor, for licensing and permits for 2015-2016 fiscal year, in a total cumulative amount not to exceed \$67,000. (FIRE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- QQ.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Employbridge Holding Company d/b/a Westaff of Broward, Inc., for temporary data entry personnel for fiscal year 2017, in a total cumulative amount not to exceed \$26,770. (POLICE DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

- RR.** Proposed resolution expressing its commitment to create a livable, safer and more welcoming environment for pedestrians, bicyclist and transit users in the community through the planning, design, and construction of a network of capital improvements that encourage walking, bicycling and increased public transit, and adopting the Complete Streets Policy, a copy of which is attached hereto and made a part hereof as Exhibit "1". (PLANNING & ZONING DEPT.)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

RESOLUTION NO. 2016-108.

- SS.** Proposed resolution approving a consulting agreement with Franco Government Relations, Inc., to assist the City in identifying and securing additional federal resources for funding, in an amount not to exceed \$50,000.00, payable in equal monthly installments of \$4,166.67, for a term commencing on October 1, 2016 and ending on September 30, 2017; and authorizing the Mayor or his designee and the City Clerk, as attesting witness, on behalf of the city, to execute the consulting agreement attached hereto in substantial form, and made a part hereof as Exhibit "1"; and providing for an effective date. (DEPT. OF GRANTS & HUMAN SERVICES)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

RESOLUTION NO. 2016-109.

- 3.** Second reading and public hearing of proposed ordinance amending Chapter 78 entitled "Solid Waste", Article III. Collection and Disposal, by revising Hialeah Code § 78-75 entitled "Removal of Waste by Private Agencies" and in particular, providing for an increase in the annual franchise fee from 21 percent of collected gross receipts to 25 percent of collected gross receipts, effective October 1, 2016 and subsequent years thereafter; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date. (DEPT. OF PUBLIC WORKS)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

ORDINANCE NO. 2016-58.

Item was approved by the City Council on first reading on September 13, 2016. Second reading and public hearing was scheduled for September 27, 2016.

REPORT: Motion to Approve Item 3 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

4. Second reading and public hearing of proposed ordinance amending Chapter 78 entitled “Solid Waste” Article V. Fees and Billing Procedures of the Code of Ordinances by revising Hialeah Code § 78-127 entitled “Amount of Charges” to provide a new subsection entitled “Annual Consumer Price Index Adjustment for Solid Waste and Recycling Services” to provide an annual Consumer Price Index adjustment to the fees for such services with any increase to be confirmed by resolution in compliance with state law notice requirements; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (DEPT. OF PUBLIC WORKS) **APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.**
ORDINANCE NO 2016-59.

Item was approved by the City Council on first reading on September 13, 2016. Second reading and public hearing was scheduled for September 27, 2016.

REPORT: Motion to Approve Item 4 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

5. Second reading and public hearing of proposed ordinance establishing a temporary moratorium for a period of one hundred and eighty (180) days from the effective date of this ordinance on the acceptance, review, approval or issuance of any land development permits as the term is defined in Florida Statutes Section 163.3164(16), Business Tax Receipts, or any other license or permit for the establishment or operation of dispensing facilities within the City of Hialeah engaged in the on-site distribution, sale, delivery or retail of low-THC cannabis, medical cannabis or cannabis delivery devices pursuant to Sections 381.986 and 499.0295 of the Florida Statutes, in order to provide the City with an opportunity to review and enact regulations governing the establishment and operation of dispensing facilities; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (ADMINISTRATION)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
ORDINANCE NO. 2016-60.

Item was approved by the City Council on first reading on September 13, 2016. Second reading and public hearing was scheduled for September 27, 2016.

REPORT: Motion to Approve Item 5 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Hernandez. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- ~~6. License suspension/revocation hearing pursuant to Section 86-57(b) of the Hialeah Code. The Licensing Administrator has determined that All America Adult Congregate Living Facility, Inc., located at 808 West 1st Avenue, Hialeah, Florida, has violated Hialeah Code Sections §86-54(a)(5), §86-54(a)(6), §86-54(a)(8), and §86-54(a)(12) and engaged in conduct warranting the revocation of its business tax receipt. (LICENSE DIV.) **WITHDRAWN**~~
7. Board Appointments –

- a. Proposed resolution appointing **MINYING HO** to the Board of Trustees of the Employees' General Retirement System of the City of Hialeah as the American Federation of State, County and Municipal Employees ("AFSCME") appointment for the remainder of a two (2)-year term ending on December 31, 2016. (AFSCME)
APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
RESOLUTION NO. 2016-110.

REPORT: Motion to Approve Item 7a made by Councilman Hernandez, and seconded by Councilwoman Casáls-Muñoz. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- b. Re-appointment by Councilman Hernandez of Jeffrey Leonard to the Veteran's Affairs Board for a two year term commencing on November 16, 2015 and ending on November 16, 2017. (COUNCILMAN HERNANDEZ) **SO NOTED**

8. Unfinished Business – **NONE**

9. New Business – **NONE**

10. Comments and Questions-

- **Armando Vidal, Director of the Department of Public Works, City of Hialeah, provided the City Council with copies of an email message from Miami-Dade County regarding WASD Wholesale Water and Wastewater Proposed Wholesale Rate Meeting.**
- **Mayor Hernandez informed all in attendance of the unveiling of a sculpture at JFK Library on Thursday, September 29, 2016 at 10:00 a.m. Mayor Hernandez also informed all regarding the viewing and burial arrangements for Herman Echevarria, former Hialeah Council Member.**

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to R-2 (One and Two Family Residential District) and granting a variance permit to allow a duplex on each substandard-sized lot with each lot having a width of 50 feet, where at least 75 feet are required, to allow a total area of 6,750 square feet, more or less, where a total area of at least 7,500, is required, to allow a lot coverage of 34.1%, where a maximum of 30% is required, to allow a front setback of 10 feet, where 25 feet are required, and to allow a corner side

setback of 10 feet, where 15 feet are required, contra to Hialeah Code §§ 98-544, 98-2056(b)(2), 98-545 and 98-546. **Property located at 2070 East 6 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Richard Hidalgo and Robert Fernandez*)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
ORDINANCE NO. 2016-61.

Item was approved by the City Council on first reading on September 13, 2016. Second reading and public hearing was scheduled for September 27, 2016.

Item was approved by the Planning and Zoning Board on August 24, 2016.

Planner's Recommendation: Approval

Owner of Property: Richard Hidalgo and Robert Fernandez

REPORT: Motion to Approve Item PZ 1 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- PZ 2.** First reading of proposed ordinance rezoning property from R-3-2 (Multiple Family District) to R-3-3 (Multiple Family District) and granting a variance permit to allow 13 parking spaces, where 15 parking spaces are required, to allow a front setback of 7 feet, where 25 feet are required, to allow a green area of 28.8 %, where a minimum of 30% is required, and to allow a 5-foot landscaped buffer, where 7 feet are required, contra to Hialeah Code §§ 98-2189(19) b, 98-589, 98-2056(b)(1), and the City of Hialeah Landscape Manual (July 9, 2015) Section (D) Subsection (7). **Property located at 20 West 40 Place, Hialeah, Florida.** Providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Global Dunamis c/o Andres Guariguata*)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.
Second reading and public hearing is scheduled for October 11, 2016.

Item was approved by the Planning and Zoning Board on September 14, 2016.

Planner's Recommendation: Approval with green area request amended from 23.79% to 28.8%.

Property Owner: Global Dunamis LLC

REPORT: Motion to Approve Item PZ 2 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

- PZ 3.** First reading of proposed ordinance granting a variance permit to allow a LED Reader Board Wall Sign on property zoned M-1 (Industrial District) outside the geographic area where LED signs are permitted, having a distance of 200 feet from residential-zoned properties, where a minimum of 300 feet radius is required, and allow a sign area of approximately 21% of the façade wall, where a maximum of 8% is allowed, contra to Hialeah Code §§ 74-149 (b), 74-215(a)(1), and 74-149(e). **Property located at 1000 Hialeah Drive, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof;

providing for a severability clause; and providing for an effective date. (*James Stice in representation of the property owner*)

APPROVED 5-1-1 with Councilwoman Garcia-Martinez voting “NO” and Council Vice President Cue-Fuente absent.

Second reading and public hearing is scheduled for October 11, 2016.

<i>Item was approved by the Planning and Zoning Board on September 14, 2016.</i>
<i>Planner’s Recommendation: Approval</i>
<i>Property Owner: 1000 Hialeah Partner, LLC</i>

REPORT: Motion to Approve Item PZ 3 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 5-1-1 with Councilwoman Garcia-Martinez voting “NO” and Council Vice President Cue-Fuente absent.

FINAL DECISIONS

FD 1. Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 16-12 that granted an adjustment on property located at **715 East 52 Street, Hialeah, Florida**; and providing for an effective date. (*Applicant: Wilder Cubeira and Arelys Curbeira*)

APPROVED 6-0-1 with Council Vice President Cue-Fuente absent.

RESOLUTION NO. 2016-111.

<i>Item was approved by the Planning and Zoning Board on August 24, 2016.</i>
<i>Planner’s Recommendation: Approval</i>
<i>Property Owner: Wilder Cubeira and Arelys Curbeira</i>

REPORT: Motion to Approve Item FD 1 made by Councilwoman Casáls-Muñoz, and seconded by Councilman Caragol. Motion passed 6-0-1 with Council Vice President Cue-Fuente absent.

NEXT CITY COUNCIL MEETING: Tuesday, October 11, 2016 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 8, 2016 at 6:30 p.m.

REPORT: Meeting was adjourned by Council President Gonzalez at 7:53 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).